

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIA/Wagner-Peyser
	CORRESPONDENCE SYMBOL OWI
	DATE March 16, 2012

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 19-11

TO: ALL STATE WORKFORCE AGENCIES
ALL STATE WORKFORCE LIAISONS

FROM: JANE OATES *Jane Oates*
Assistant Secretary

SUBJECT: Workforce Investment Act (WIA) Adult, Dislocated Worker and Youth Activities Program Allotments for Program Year (PY) 2012; Final PY 2012 Allotments for the Wagner-Peyser Act Employment Service Program Allotments; and Workforce Information Grants to States Allotments for PY 2012.

1. **Purpose.** To provide states and outlying areas with WIA Title I Adult, Dislocated Worker and Youth Activities program allotments for PY 2012; final allotments for PY 2012 for the Wagner-Peyser Employment Service (ES) Program, as required by section 6(b)(5) of the Wagner-Peyser Act, as amended; and the Workforce Information Grants to States allotments for PY 2012.
2. **References.**
 - Department of Labor Appropriations Act, 2012, Title I of Division F of the Consolidated Appropriation Act, 2012, Public Law (P.L.) 112-74, signed December 23, 2011
 - Titles III and V of Division F of the Consolidated Appropriation Act, 2012, P. L. 112-74
 - Training and Employment Guidance Letter (TEGL) 26-10 (May 10, 2011)
 - Workforce Investment Act of 1998, (29 United States Code (U.S.C) 2801 et seq.), Public Law 105-220, as amended
 - Wagner-Peyser Act, as amended (29 U.S.C. 49 et seq.)
 - WIA Final Rule, 20 Code of Federal Regulations parts 660-671
 - Planning Guidance for the Strategic State Plan for Title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act [(73 FR 72853) (Dec. 1, 2008)] (OMB No. 1205-0398)

RESCISSIONS None	EXPIRATION DATE Continuing
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3. **Background.** The funds for the allotments announced in this TEGL are part of the funds appropriated in the Department of Labor Appropriations Act, 2012, Title I of Division F of the Consolidated Appropriations Act, 2012, P.L. 112-74, signed into law December 23, 2011 (from this point forward, referred to as “the Act”). Section 527 of Title V of Division F of the Consolidated Appropriations Act, 2012, incorporated a mandatory across the board (ATB) rescission of 0.189 percent impacting the PY 2012 funding for the programs covered by this TEGL. For the Adult and Dislocated Worker programs, the 0.189 percent rescission only impacts the “base” funds that states receive on July 1, 2012.

The Act also states:

- A local board may still transfer up to 30 percent of funds between the Adult and Dislocated Worker funding streams if approved by the Governor.
- A local board may still award contracts for “class-size training,” that is, a local board may still award a contract to an institution of higher education or other eligible training provider if the local board determines that it would facilitate the training of multiple individuals in high-demand occupations, if such contract does not limit customer choice.
- Notwithstanding section 128(a)(1) of the Workforce Investment Act (WIA), the amount available for the Governor for statewide workforce investment activities shall not exceed 5 percent of the amount allotted to the State from each of the WIA Youth, Adult, and Dislocated Worker, PY 2012 appropriations.
- Salary caps from FY 2010 are maintained (i.e., \$179,700). No funds under the header “Employment and Training Administration” may be used by a recipient or sub-recipient to pay the salary and bonus of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II, and states may establish lower salary caps.

The WIA allotments for states are based on formula provisions defined in WIA (see Attachment A for WIA and Wagner-Peyser formula descriptions).

The WIA allotments for the outlying areas (e.g., American Samoa, Guam, Northern Marianas, Palau, and the Virgin Islands) are based on a discretionary formula as authorized under WIA Title I. The Marshall Islands and Micronesia no longer receive WIA Title I funding; instead, these areas now receive funding from the Department of Education’s appropriation (See Compact of Free Association Amendments of 2003, P.L. 108-188 (December 17, 2003), codified at 48 U.S.C. 1921d(f)(1)(B)(iii)(the “Compact”). The Compact also specified that the Republic of Palau remained eligible for WIA Title I funding. See 48 U.S.C. 1921d(f)(1)(B)(ix). The Consolidated Appropriations Act, 2012 (in the Department of Education’s General Provisions at Section 306, Title III, Division F, P.L. 112-74) amended the Compact to extend the availability of WIA Title I funding to Palau through FY 2012.

In addition to this TEGL, allotments and descriptions of the allotment formulas will be published in the Federal Register. Comments may be submitted to the Employment and Training Administration (ETA), on the formula used to distribute funds to outlying areas.

4. State WIA Youth Activities Funds: Title I--Chapter 4--Youth Activities.

A. State Allotments. The appropriated level for PY 2012 for WIA Youth Activities totals \$824,353,022, which includes \$12,365,295 for Native Americans, \$809,926,844 for states, and \$2,060,883 for outlying areas. These amounts include the ATB 0.189 percent rescission. Attachment B contains a breakdown of the WIA Youth Activities program allotments by state for PY 2012 and provides a comparison of these allotments to PY 2011. Please note that the Department of Labor (the Department) will provide the Native American Youth allotments in a separate TEGL.

The three data factors required by WIA for the PY 2012 Youth Activities state formula allotments are:

1. The number of unemployed for Areas of Substantial Unemployment (ASUs) averages for the 12-month period, July 2010 through June 2011, as prepared by the states since PY 2006 using special 2000 Census data based on households, obtained under contract with the Census Bureau and provided to states by the Bureau of Labor Statistics (BLS);
2. The number of excess unemployed individuals or the ASU excess (depending on which is higher) averages for the same 12-month period as used for ASU unemployed data; and,
3. The number of economically disadvantaged youth (age 16 to 21, excluding college students and military) from special 2000 Census tabulations.

Since the total amount available for states in PY 2012 is below the required \$1 billion threshold specified in WIA section 127(b)(1)(C)(iv)(IV), which was also the case in PY 2011, the WIA additional minimum provisions are not applicable. Instead, as required by WIA, the Job Training Partnership Act (JTPA) section 262(a)(3) (as amended by section 701 of the Job Training Reform Amendments of 1992) minimums of 90 percent hold-harmless of the prior year allotment percentage and 0.25 percent state minimum floor apply. WIA also requires the application of a 130 percent stop-gain of the prior year allotment percentage.

B. PY 2012 Funding WIA Agreement/Notice of Obligations (NOOs). Upon execution of the PY 2012 WIA Annual Funding Agreement, Youth program funds will be available for use by states.

- C. Within-State Allocations. States must distribute WIA Youth Activities funds among local workforce investment areas (subject to reservation of the 5 percent limitation for statewide workforce investment activities as discussed in the Background Section of this TEGL) in accordance with the provisions of WIA section 128 and the approved WIA/Wagner-Peyser Act State Plan. For purposes of identifying ASUs for the within-state Youth Activities allocation formula, as done since PY 2006, states should continue to use the special 2000 Census data based on households which were obtained under contract with the Census Bureau and provided to states in October 2006 by BLS. States must use such data for this purpose until further notice. For purposes of developing the number of economically disadvantaged Youth Activities for the statutory formula, states should continue to use the special 2000 Census data provided to them for the within-state youth allocations beginning in PY 2004.

It should be noted that the most current Census, conducted in 2010, did not include the long form survey which ETA would have used to update the economically disadvantaged data from the 2000 Census. Instead, ETA will continue to work with the Census Bureau over the next year to use data from the American Community Survey (ACS). ETA will alert states when data from the ACS are available for use in within-state allocation formulas; however, updated data will not be available for use with PY 2012 funding.

- D. Transfers of Funds. Local workforce investment areas lack the authority to transfer funds to or from the Youth Activities program.
- E. Reallotment of Funds. The Secretary of Labor reallots Youth Activities program formula funds, as provided for by WIA Section 127(c), based on completed PY financial reports submitted by the states. Reallotment of funds among states under WIA will occur during PY 2012 based on state obligations made during PY 2011 (20 CFR §667.150).

5. State Adult Employment and Training Activities Funds: Title I--Chapter 5--Adult and Dislocated Worker Employment and Training Activities.

- A. State Allotments. The total appropriated funds for PY 2012 for Adult Activities are \$770,810,637 of which \$768,883,610 is for states and \$1,927,027 is for outlying areas. These amounts include the ATB 0.189 percent rescission. Attachment C shows the PY 2012 Adult Activities allotments and a comparison to PY 2011 allotments by state.

The three formula data factors for the Adult Activities program are the same as those used for the Youth Activities formula, except the Department used data for the number of economically disadvantaged adults (age 22 to 72, excluding college students and military). Since the total amount available for the Adult

Activities program for states in PY 2012 is below the required \$960 million threshold specified in WIA section 132(b)(1)(B)(iv)(IV), as was also the case in PY 2011, the WIA additional minimum provisions are not applicable. Instead, as required by WIA, the JTPA section 262(a)(3) (as amended by section 701 of the Job Training Reform Amendments of 1992) minimums of 90 percent hold-harmless of the prior year allotment percentage and 0.25 percent state minimum floor apply. Also, like the Youth program, the Department used the provision applying the 130 percent stop-gain of the prior year allotment percentage.

B. PY 2012 Funding WIA Agreement/NOOs. For PY 2012, Congress appropriated funds for this program in two portions: \$58,810,637 available for obligation on July 1, 2012 (PY 2012) (including 0.189 percent rescission), and \$712,000,000 available for obligation on October 1, 2012 (FY 2013). The Department prorated allotments to states and outlying areas based on these total amounts and will issue two NOOs: one for July 1, 2012, under the PY 2012 WIA grant agreement, and the other for October 1, 2012, also under the PY 2012 WIA grant agreement (see Attachment D).

C. Within-State Allocations. States must distribute WIA Adult Activities funds for PY 2012 allotments among local workforce investment areas (subject to reservation of the 5 percent limitation for statewide workforce investment activities) in accordance with the provisions in WIA section 133 and the approved WIA/Wagner Peyser Act State Plan.

Similar to the Youth Activities program, for purposes of identifying ASUs for the within-state Adult Activities allocation formula, states must use the special 2000 Census data provided to them by BLS in October 2006 until further notice. For purposes of developing the number of economically disadvantaged adults for the statutory formula, states should continue to use the special 2000 Census data provided to them for the within-state Adult Activities allocations beginning in PY 2004.

It should be noted that the most current Census, conducted in 2010, did not include the long form survey which ETA would have used to update the economically disadvantaged data from the 2000 Census. Instead, ETA will continue to work with the Census Bureau over the next year to use data from the ACS. ETA will alert states when data from the ACS are available for use in within-state allocation formulas; however, updated data will not be available for use with PY 2012 funding.

D. Transfers of Funds. WIA section 133(b)(4) provides the authority for local workforce investment areas, with approval of the Governor, to transfer up to 20 percent of the Adult Activities funds to Dislocated Worker Activities, and up to 20 percent of Dislocated Worker Activities funds to Adult Activities. The Department of Labor Appropriations Act, 2012, provided that notwithstanding

section 133(b)(4), up to 30 percent of these funds could be transferred between programs, which is applicable for the life of the funds.

- E. Reallotment of Funds. Reallotment of Adult Activities program formula funds, as provided for by WIA section 132(c), is based on completed PY financial reports submitted by the states. Reallotment of funds among states under WIA will occur during PY 2012 based on state obligations of PY 2011 funds made during PY 2011 (20 CFR §667.150).

6. State Dislocated Worker Employment and Training Funds: Title I--Chapter 5-Adult and Dislocated Worker Employment and Training Activities.

Appropriated funds for PY 2012 for the Dislocated Worker Activities program total \$1,232,217,892, with \$1,008,151,464 for states, \$3,080,545 for outlying areas, and \$220,985,883 for the National Reserve. These amounts include the 0.189 percent rescission.

- A. State Allotments. Attachment E shows the PY 2012 Dislocated Worker Activities fund allotments by state and a comparison to PY 2011.

The three data factors required in WIA for the PY 2012 Dislocated Worker state formula allotments are:

1. The number of unemployed, averaged for the 12-month period, October 2010 through September 2011;
2. The number of excess unemployed, averaged for the 12-month period, October 2010 through September 2011; and
3. The number of long-term unemployed, averaged for the 12-month period, October 2010 through September 2011.

- B. PY 2012 Funding WIA Agreement/NOOs. For PY 2012, Congress appropriated funds for this program in two portions for both formula funds and National Reserve funds. For formula funds, \$148,151,464 is available for obligation on July 1, 2012 (PY 2012) (including the 0.189 percent rescission), and \$860,000,000 is available for obligation on October 1, 2012 (FY 2013). For the National Reserve, which includes funds for the outlying areas, \$24,066,428 is available for obligation on July 1, 2012 (PY 2012) (including the 0.189 percent rescission), and \$200,000,000 is available for obligation on October 1, 2012 (FY 2013). Allotments to states and outlying areas are prorated based on the two amounts for formula funds and National Reserve, respectively. Allotments will be issued in two NOOs: one for July 1, 2012, under the PY 2012 WIA grant agreement, and the other for October 1, 2012, (also under the PY 2012 WIA grant agreement) (see Attachment F).

- C. Within-State Allocations. Dislocated Worker Activities funds for PY 2012 allotments are to be distributed among local workforce investment areas (subject to the governor's reservation of up to 25 percent for statewide rapid response activities and the 5 percent limitation for statewide workforce investment activities as discussed in the Background Section of this TEGL in accordance with the provisions in WIA section 133 and the approved WIA/Wagner-Peyser Act State Plan.
- D. Transfers of Funds. WIA section 133(b)(4) provides the authority for local workforce investment areas, with approval of the Governor, to transfer up to 20 percent of the Adult Activities funds to Dislocated Worker Activities, and up to 20 percent of Dislocated Worker Activities funds to Adult Activities. The Department of Labor Appropriations Act, 2012, provided that notwithstanding section 133(b)(4), up to 30 percent of these funds could be transferred between programs, which is applicable for the life of the funds.
- E. Reallotment of Funds. Reallotment of Dislocated Worker program formula funds, as provided for by WIA section 132(c), is based on completed PY financial reports submitted by the states. Reallotment of funds among states under WIA will occur during PY 2012 based on state obligations made during PY 2011 (20 CFR §667.150).
7. Wagner-Peyser Employment Service Final Allotments. The appropriated level for PY 2012 for grants for the Employment Service programs totals \$700,841,900 (including the 0.189 percent rescission). After determining the funding for outlying areas, allotments to states are calculated using the formula set forth at section 6 of the Wagner-Peyser Act (29 U.S.C. 49e). PY 2012 formula allotments are based on each state's share of calendar year 2011 monthly averages of the Civilian Labor Force (CLF) and unemployment. The distribution of Wagner-Peyser Act funds for PY 2012 includes \$699,133,491 for states, as well as \$1,708,409 for outlying areas. Attachment G shows the distribution of PY 2012 ES formula amounts by state compared to PY 2011.
- Under section 7(b) of the Wagner-Peyser Act, ten percent of the total sums allotted to each state shall be reserved for use by the governor to provide performance incentives, services for groups with special needs, and for the extra costs of exemplary models for delivering job services.
8. Workforce Information Grants. Total funds for PY 2012 are \$31,939,520 (including the 0.189 percent rescission). Funds are distributed to states by administrative formula with \$176,655 for Guam and the Virgin Islands. The remaining funds are distributed to the states with 40 percent distributed equally to all states, and 60 percent distributed based on each state's share of the Civilian Labor Force for the 12

months ending September 2011. The allotment figures are listed in Attachment H. Policy guidance on the use of workforce information grants will be forthcoming.

9. **Submission.** In order to achieve greater efficiencies and as part of ETA's ongoing effort to streamline the mandatory grant award process, all States are required to submit an electronically signed copy of an SF 424, Application for Federal Assistance and the WIA Agreement (Attachment I) through Grants.gov under announcement name: ETA/TEGL/PY 12-01. An electronically submitted SF 424 and WIA Agreement through Grants.gov constitute official signed documents and should reflect the combined funding for all three WIA programs (Dislocated Worker, Adult & Youth). The closing date for receipt of the documents under this TEGL is March 29, 2012. The WIA Youth funds will be awarded in April 2012, and the WIA Dislocated Worker and Adult funds will be awarded in July 2012.

States must submit a second SF 424 and the ES Agreement (Attachment J) electronically through <http://www.grants.gov> under announcement name: ETA/TEGL/PY 12-01 no later than June 15, 2012, for the Wagner-Peyser Employment Service Program and the Workforce Information Grants to States Allotments for PY 2012. This SF 424 and ES Agreement constitute official signed documents and should reflect the combined funds for the Wagner-Peyser Employment Service Program and the Workforce Information Grants funds. The Wagner-Peyser Employment Service Program and Workforce Information funds will be awarded in July 2012.

The process can be complicated and time-consuming. States are strongly advised to initiate the process as soon as possible and to plan for time to resolve technical problems if necessary.

States should immediately initiate and complete the "Get Registered" registration steps at http://www.grants.gov/applicants/get_registered.jsp. States should read through the registration process carefully before registering. Time should be factored in for electronic submission in order to avoid unexpected delays that could result in the rejection of the documents. The site also contains registration checklists to help you walk through the process. The Department strongly recommends that States download the "Organization Registration Checklist" at http://www.grants.gov/assets/Organization_Steps_Complete_Registration.pdf and prepare the information requested before beginning the registration process. Reviewing and assembling required information before beginning the registration process will alleviate last minute searches for required information and save time.

The first SF 424 should include the amount for all three funding streams, youth, adult and dislocated worker, and reflect the amount entered in item #18, Estimated Funding. The States must have a D-U-N-S® Number and must register with the Federal Central Contractor Registry (CCR). Include the EIN and DUNS numbers in item #s 8b and 8c, respectively. Item #11 must include the Catalog of Federal

Domestic Assistance Number for all three funding streams, 17.278 – WIA Dislocated Worker, 17.259 – WIA Youth, and 17.258 – WIA Adult. The second SF 424 will include two programs, Employment Service (Wagner-Peyser) and Workforce Information Grants to States allotments for PY 2012 and the combined amount for both programs is to be entered in item #18, Estimated Funding. Also, include the EIN and DUNS numbers in item #s 8b and 8c, respectively. The Catalog of Federal Domestic Assistance Number for the two programs is 17.207.

If States encounter a problem with Grants.gov and do not find an answer in any of the other resources, call 1-800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or email support@grants.gov. The Contact Center is open 24 hours a day, seven days a week. It is closed on federal holidays.

For further information about the submission requirement, please contact Ms. Sharon Carter, Grants Management Specialist, Division of Workforce System Federal Assistance at (202) 693-3323. States should e-mail all submission questions to carter.sharon@dol.gov and must specifically reference ETA-TEGL-PY-12-01, and along with question(s), include a contact name, fax, and phone number.

10. Reporting. For the WIA formula programs, states are required to submit the seven designated WIA quarterly financial status reports covering funds received for each of the programs (including separate reports for each of the fund year periods for the Adult and Dislocated Worker Activities programs -- July 1 funds and October 1 funds). These seven WIA reports provide financial data for statewide Youth, statewide Adult, statewide Dislocated Worker, statewide Rapid Response (Dislocated Worker Activities), local Youth, local Adult, and local Dislocated Worker activities. States are also required to submit the designated financial reports each quarter for the Wagner-Peyser Act funds and the Workforce Information Grant funds.

11. Inquiries. Questions regarding these allotments may be directed to the appropriate Regional Office. Information on allotments and planning requirements may also be found on the ETA Web site at <http://www.doleta.gov>.

12. Attachments.

- A. WIA and Wagner-Peyser Statutory Formula Descriptions
- B. WIA Youth Activities Allotments,
PY 2012 vs PY 2011
- C. WIA Adult Activities Allotments,
PY 2012 vs PY 2011
- D. WIA Adult Activities Allotments,
July 1 and October 1 Funding

- E. WIA Dislocated Worker Activities Allotments,
PY 2012 vs PY 2011
- F. WIA Dislocated Worker Activities Allotments,
July 1 and October 1 Funding
- G. Employment Service (Wagner-Peyser) Allotments,
PY 2012 vs PY 2011
- H. Workforce Information Grants Allotments,
PY 2012 vs PY 2011
- I. WIA Agreement
- J. ES Agreement

U. S. Department of Labor
Employment and Training Administration

Workforce Investment Act (WIA) and Wagner-Peyser Act Statutory Formulas for State Allotments

State Allotment Formula Descriptions

WIA Youth Activities

Formula:

- 1/3: State relative share of total unemployed in areas of substantial unemployment (ASU) (average 12 months ending 6/30)
- 1/3: State relative share of excess unemployed (average 12 months ending 6/30)
- 1/3: State relative share of economically disadvantaged youth (Census 2000)

Minimums:

- (a) If total amount available for states is \$1 billion or less:
State allotment cannot be less than
 - (1) 90 percent of state relative share of prior year funding
 - (2) 0.25 percent of total available funds for states
- (b) If total amount available for states exceeds \$1 billion:
State allotment cannot be less than
 - (1) 90 percent of state relative share of prior year funding
 - (2) 1998 allotment amount
 - (3) 0.3 percent of first \$1 billion plus 0.4 percent of amount over \$1 billion

Maximum:

130% of state relative share of prior year funding

WIA Adult Activities

Same as Youth Activities, except

- (a) Formula uses economically disadvantaged ADULTS instead of YOUTH
- (b) Threshold for selecting minimum provisions is \$960 million instead of \$1 billion

WIA Dislocated Workers

Formula:

- 1/3: State relative share of total unemployed (average 12 months ending 09/30)
- 1/3: State relative share of excess unemployed (average 12 months ending 09/30)
- 1/3: State relative share of long-term unemployed (average 12 months ending 09/30)

Minimum: none

Maximum: none

Employment Service (Wagner-Peyser Act)

Formula for 97% of funds:

- 2/3: State relative share of civilian labor force (average 12 months ending 9/30 (preliminary) or 12/31 (final))
- 1/3: State relative share of total unemployment (average 12 months ending 9/30 (preliminary) or 12/31 (final))

Minimums:

- (a) 90 percent of state relative share of prior year funding
- (b) 0.28 percent of total available funds for states

Maximum:

Distribution of 3% of funds:

- (1) States with civilian labor force below 1 million and under the national median civilian labor force density receive an amount which, when added to their share of the 97 percent portion, will result in an amount equal to 100 percent of their relative share of the prior year funding
- (2) Remaining states losing in relative share receive a share of the remaining funds prorated based on the amount needed to achieve 100 percent of their relative share of prior year funding.

Formula Data Factor Definitions

WIA Youth and Adults Programs

ASU: contiguous areas with unemployment rate of 6.5 percent or more excess unemployed. Higher of:

- (1) excess unemployed (unemployment in excess of 4.5 percent) in ASU's; or
- (2) excess unemployed (unemployment in excess of 4.5 percent) in all areas

Economically disadvantaged adults: individuals, age 22-72, meeting (or member of family meeting):

OMB poverty level or

70 percent of lower living standard income level (LLSIL).

Economically disadvantaged youth: individuals, age 16-21, meeting (or member of family meeting):

OMB poverty level or

70 percent of lower living standard income level (LLSIL).

WIA Dislocated Workers Program

Excess unemployed: unemployment in excess of 4.5 percent

Long-term unemployed: number unemployed 15 or more weeks

Employment Service (Wagner-Peyser) - Self-explanatory

U.S. Department of Labor
Employment and Training Administration
WIA Youth Activities State Allotments
Comparison of PY 2012 vs PY 2011

Attachment B

State	PY 2011	PY 2012	Difference	% Difference
Total	\$825,913,862	\$824,353,022	(\$1,560,840)	-0.19%
Alabama	12,455,574	11,711,479	(744,095)	-5.97%
Alaska	2,216,462	2,024,817	(191,645)	-8.65%
Arizona	15,326,190	16,510,641	1,184,451	7.73%
Arkansas	6,794,393	6,431,994	(362,399)	-5.33%
California	117,952,080	123,857,750	5,905,670	5.01%
Colorado	9,788,025	11,882,561	2,094,536	21.40%
Connecticut	8,060,872	8,794,724	733,852	9.10%
Delaware	2,028,651	2,024,817	(3,834)	-0.19%
District of Columbia	2,402,872	2,323,591	(79,281)	-3.30%
Florida	50,372,277	53,892,125	3,519,848	6.99%
Georgia	24,305,197	25,482,266	1,177,069	4.84%
Hawaii	2,272,811	2,243,958	(28,853)	-1.27%
Idaho	3,428,419	4,027,145	598,726	17.46%
Illinois	36,086,031	32,767,678	(3,318,353)	-9.20%
Indiana	16,043,006	15,457,182	(585,824)	-3.65%
Iowa	5,519,334	4,962,142	(557,192)	-10.10%
Kansas	5,248,975	5,511,824	262,849	5.01%
Kentucky	12,514,937	12,676,374	161,437	1.29%
Louisiana	11,269,372	11,409,318	139,946	1.24%
Maine	2,887,584	2,831,274	(56,310)	-1.95%
Maryland	10,073,999	10,354,690	280,691	2.79%
Massachusetts	15,988,686	15,009,154	(979,532)	-6.13%
Michigan	41,642,666	37,407,571	(4,235,095)	-10.17%
Minnesota	11,474,392	10,523,152	(951,240)	-8.29%
Mississippi	10,523,093	9,452,885	(1,070,208)	-10.17%
Missouri	14,549,044	15,108,428	559,384	3.84%
Montana	2,174,750	2,405,630	230,880	10.62%
Nebraska	2,288,141	2,207,155	(80,986)	-3.54%
Nevada	8,303,837	9,104,832	800,995	9.65%
New Hampshire	2,253,475	2,024,817	(228,658)	-10.15%
New Jersey	20,362,826	20,322,861	(39,965)	-0.20%
New Mexico	4,775,669	4,918,291	142,622	2.99%
New York	46,253,787	45,892,839	(360,948)	-0.78%
North Carolina	24,598,968	23,736,834	(862,134)	-3.50%
North Dakota	2,028,651	2,024,817	(3,834)	-0.19%
Ohio	31,915,350	29,136,945	(2,778,405)	-8.71%
Oklahoma	6,877,913	6,676,111	(201,802)	-2.93%
Oregon	11,026,583	10,760,018	(266,565)	-2.42%
Pennsylvania	29,506,561	28,346,353	(1,160,208)	-3.93%
Puerto Rico	23,908,509	21,476,993	(2,431,516)	-10.17%
Rhode Island	3,767,218	3,687,520	(79,698)	-2.12%
South Carolina	13,916,063	12,754,206	(1,161,857)	-8.35%
South Dakota	2,028,651	2,024,817	(3,834)	-0.19%
Tennessee	16,288,215	15,784,120	(504,095)	-3.09%
Texas	52,833,195	55,664,646	2,831,451	5.36%
Utah	4,121,624	5,347,985	1,226,361	29.75%
Vermont	2,028,651	2,024,817	(3,834)	-0.19%
Virginia	13,540,444	13,020,339	(520,105)	-3.84%
Washington	15,992,583	16,959,549	966,966	6.05%
West Virginia	4,315,932	4,577,244	261,312	6.05%
Wisconsin	13,099,180	12,342,748	(756,432)	-5.77%
Wyoming	2,028,651	2,024,817	(3,834)	-0.19%
State Total	811,460,369	809,926,844	(1,533,525)	-0.19%
American Samoa	117,342	117,112	(230)	-0.20%
Guam	955,133	953,260	(1,873)	-0.20%
Northern Marianas	353,447	352,754	(693)	-0.20%
Palau	75,000	75,000	0	0.00%
Virgin Islands	563,863	562,757	(1,106)	-0.20%
Outlying Areas Total	2,064,785	2,060,883	(3,902)	-0.19%
Native Americans	12,388,708	12,365,295	(23,413)	-0.19%

U.S. Department of Labor
Employment and Training Administration
WIA Adult Activities State Allotments
Comparison of PY 2012 vs PY 2011

Attachment C

State	PY 2011 (Pre-FY 2012 0.189% Rescission)	PY 2012	Difference	% Difference
Total	\$770,921,920	\$770,810,637	(\$111,283)	-0.01%
Alabama	12,090,307	11,433,310	(656,997)	-5.43%
Alaska	2,118,648	1,922,209	(196,439)	-9.27%
Arizona	14,638,503	15,820,881	1,182,378	8.08%
Arkansas	6,399,544	6,067,684	(331,860)	-5.19%
California	113,937,862	120,000,208	6,062,346	5.32%
Colorado	8,838,405	10,859,799	2,021,394	22.87%
Connecticut	7,208,528	7,932,575	724,047	10.04%
Delaware	1,922,487	1,922,209	(278)	-0.01%
District of Columbia	2,040,921	1,973,348	(67,573)	-3.31%
Florida	50,666,671	53,270,412	2,603,741	5.14%
Georgia	22,840,137	24,047,603	1,207,466	5.29%
Hawaii	2,375,218	2,357,815	(17,403)	-0.73%
Idaho	3,112,389	3,566,489	454,100	14.59%
Illinois	33,485,477	30,469,621	(3,015,856)	-9.01%
Indiana	14,120,139	13,618,422	(501,717)	-3.55%
Iowa	3,872,586	3,670,939	(201,647)	-5.21%
Kansas	4,349,496	4,614,871	265,375	6.10%
Kentucky	12,990,026	13,197,513	207,487	1.60%
Louisiana	10,979,275	10,605,200	(374,075)	-3.41%
Maine	2,730,113	2,687,582	(42,531)	-1.56%
Maryland	9,553,233	9,857,689	304,456	3.19%
Massachusetts	14,398,404	13,525,014	(873,390)	-6.07%
Michigan	38,927,229	35,029,449	(3,897,780)	-10.01%
Minnesota	10,065,109	9,134,795	(930,314)	-9.24%
Mississippi	9,805,450	8,823,631	(981,819)	-10.01%
Missouri	13,419,717	14,003,193	583,476	4.35%
Montana	2,120,862	2,348,495	227,633	10.73%
Nebraska	1,922,487	1,922,209	(278)	-0.01%
Nevada	8,185,256	8,978,521	793,265	9.69%
New Hampshire	1,922,487	1,922,209	(278)	-0.01%
New Jersey	20,215,513	20,260,335	44,822	0.22%
New Mexico	4,573,434	4,727,107	153,673	3.36%
New York	45,933,685	45,779,283	(154,402)	-0.34%
North Carolina	22,906,147	22,178,866	(727,281)	-3.18%
North Dakota	1,922,487	1,922,209	(278)	-0.01%
Ohio	29,608,861	27,089,923	(2,518,938)	-8.51%
Oklahoma	6,455,261	6,289,462	(165,799)	-2.57%
Oregon	10,347,514	10,151,677	(195,837)	-1.89%
Pennsylvania	26,995,920	26,000,980	(994,940)	-3.69%
Puerto Rico	25,392,538	22,849,985	(2,542,553)	-10.01%
Rhode Island	3,245,983	3,182,636	(63,347)	-1.95%
South Carolina	13,141,414	12,076,612	(1,064,802)	-8.10%
South Dakota	1,922,487	1,922,209	(278)	-0.01%
Tennessee	15,820,576	15,406,376	(414,200)	-2.62%
Texas	49,503,599	52,386,229	2,882,630	5.82%
Utah	3,276,560	4,258,913	982,353	29.98%
Vermont	1,922,487	1,922,209	(278)	-0.01%
Virginia	12,422,005	11,977,315	(444,690)	-3.58%
Washington	14,762,815	15,738,264	975,449	6.61%
West Virginia	4,403,989	4,670,162	266,173	6.04%
Wisconsin	11,261,887	10,586,754	(675,133)	-5.99%
Wyoming	1,922,487	1,922,209	(278)	-0.01%
State Total	768,994,615	768,883,610	(111,005)	-0.01%
American Samoa	109,235	109,218	(17)	-0.02%
Guam	889,140	889,007	(133)	-0.01%
Northern Marianas	329,026	328,977	(49)	-0.01%
Palau	75,000	75,000	0	0.00%
Virgin Islands	524,904	524,825	(79)	-0.02%
Outlying Areas Total	1,927,305	1,927,027	(278)	-0.01%

U.S. Department of Labor
Employment and Training Administration
WIA Adult Activities
PY 2012 State Allotments

Attachment D

State	Total	7/1/2012	10/1/2012
Total	\$770,810,637	\$58,810,637	\$712,000,000
Alabama	11,433,310	872,329	10,560,981
Alaska	1,922,209	146,659	1,775,550
Arizona	15,820,881	1,207,088	14,613,793
Arkansas	6,067,684	462,947	5,604,737
California	120,000,208	9,155,671	110,844,537
Colorado	10,859,799	828,571	10,031,228
Connecticut	7,932,575	605,233	7,327,342
Delaware	1,922,209	146,659	1,775,550
District of Columbia	1,973,348	150,561	1,822,787
Florida	53,270,412	4,064,379	49,206,033
Georgia	24,047,603	1,834,763	22,212,840
Hawaii	2,357,815	179,895	2,177,920
Idaho	3,566,489	272,113	3,294,376
Illinois	30,469,621	2,324,745	28,144,876
Indiana	13,618,422	1,039,046	12,579,376
Iowa	3,670,939	280,082	3,390,857
Kansas	4,614,871	352,101	4,262,770
Kentucky	13,197,513	1,006,932	12,190,581
Louisiana	10,605,200	809,146	9,796,054
Maine	2,687,582	205,055	2,482,527
Maryland	9,857,689	752,113	9,105,576
Massachusetts	13,525,014	1,031,920	12,493,094
Michigan	35,029,449	2,672,646	32,356,803
Minnesota	9,134,795	696,959	8,437,836
Mississippi	8,823,631	673,218	8,150,413
Missouri	14,003,193	1,068,403	12,934,790
Montana	2,348,495	179,183	2,169,312
Nebraska	1,922,209	146,659	1,775,550
Nevada	8,978,521	685,035	8,293,486
New Hampshire	1,922,209	146,659	1,775,550
New Jersey	20,260,335	1,545,805	18,714,530
New Mexico	4,727,107	360,665	4,366,442
New York	45,779,283	3,492,828	42,286,455
North Carolina	22,178,866	1,692,184	20,486,682
North Dakota	1,922,209	146,659	1,775,550
Ohio	27,089,923	2,066,883	25,023,040
Oklahoma	6,289,462	479,868	5,809,594
Oregon	10,151,677	774,544	9,377,133
Pennsylvania	26,000,980	1,983,800	24,017,180
Puerto Rico	22,849,985	1,743,388	21,106,597
Rhode Island	3,182,636	242,826	2,939,810
South Carolina	12,076,612	921,411	11,155,201
South Dakota	1,922,209	146,659	1,775,550
Tennessee	15,406,376	1,175,462	14,230,914
Texas	52,386,229	3,996,919	48,389,310
Utah	4,258,913	324,943	3,933,970
Vermont	1,922,209	146,659	1,775,550
Virginia	11,977,315	913,835	11,063,480
Washington	15,738,264	1,200,784	14,537,480
West Virginia	4,670,162	356,320	4,313,842
Wisconsin	10,586,754	807,739	9,779,015
Wyoming	1,922,209	146,659	1,775,550
State Total	768,883,610	58,663,610	710,220,000
American Samoa	109,218	8,333	100,885
Guam	889,007	67,829	821,178
Northern Marianas	328,977	25,100	303,877
Palau	75,000	5,722	69,278
Virgin Islands	524,825	40,043	484,782
Outlying Areas Total	1,927,027	147,027	1,780,000

U.S. Department of Labor
Employment and Training Administration
WIA Dislocated Worker Activities State Allotments
Comparison of PY 2012 vs PY 2011

Attachment E

State	PY 2011 (Pre-FY 2012 0.189% Rescission)	PY 2012	Difference	% Difference
Total	\$1,287,544,000	\$1,232,217,892	(\$55,326,108)	-4.30%
Alabama	16,128,630	15,469,879	(658,751)	-4.08%
Alaska	1,804,590	1,617,337	(187,253)	-10.38%
Arizona	21,992,101	21,499,925	(492,176)	-2.24%
Arkansas	6,535,066	7,022,211	487,145	7.45%
California	170,303,818	167,279,720	(3,024,098)	-1.78%
Colorado	13,969,269	16,138,114	2,168,845	15.53%
Connecticut	12,117,862	12,425,813	307,951	2.54%
Delaware	2,526,887	2,364,143	(162,744)	-6.44%
District of Columbia	2,592,780	2,584,544	(8,236)	-0.32%
Florida	81,270,552	77,488,229	(3,782,323)	-4.65%
Georgia	35,502,366	36,619,541	1,117,175	3.15%
Hawaii	2,539,205	2,544,104	4,899	0.19%
Idaho	4,240,518	4,848,656	608,138	14.34%
Illinois	52,391,500	45,174,858	(7,216,642)	-13.77%
Indiana	22,971,198	19,764,183	(3,207,015)	-13.96%
Iowa	6,222,410	5,396,211	(826,199)	-13.28%
Kansas	5,780,312	6,269,130	488,818	8.46%
Kentucky	14,985,351	14,426,545	(558,806)	-3.73%
Louisiana	8,768,499	10,053,020	1,284,521	14.65%
Maine	3,599,239	3,411,860	(187,379)	-5.21%
Maryland	14,302,198	13,446,336	(855,862)	-5.98%
Massachusetts	21,065,395	18,123,153	(2,942,242)	-13.97%
Michigan	51,285,260	37,950,243	(13,335,017)	-26.00%
Minnesota	12,889,304	12,016,430	(872,874)	-6.77%
Mississippi	10,150,118	10,347,245	197,127	1.94%
Missouri	19,187,040	19,339,341	152,301	0.79%
Montana	2,047,301	2,228,454	181,153	8.85%
Nebraska	2,059,689	1,769,045	(290,644)	-14.11%
Nevada	14,332,064	14,404,698	72,634	0.51%
New Hampshire	2,764,686	2,023,863	(740,823)	-26.80%
New Jersey	32,250,359	30,891,644	(1,358,715)	-4.21%
New Mexico	5,179,814	4,691,620	(488,194)	-9.42%
New York	55,889,913	53,040,830	(2,849,083)	-5.10%
North Carolina	35,096,512	33,775,540	(1,320,972)	-3.76%
North Dakota	499,920	491,586	(8,334)	-1.67%
Ohio	44,079,882	37,410,700	(6,669,182)	-15.13%
Oklahoma	6,917,377	5,818,181	(1,099,196)	-15.89%
Oregon	15,077,317	14,179,357	(897,960)	-5.96%
Pennsylvania	37,972,551	33,628,882	(4,343,669)	-11.44%
Puerto Rico	13,696,022	13,792,527	96,505	0.70%
Rhode Island	5,104,108	4,729,397	(374,711)	-7.34%
South Carolina	19,186,456	17,247,928	(1,938,528)	-10.10%
South Dakota	840,914	914,615	73,701	8.76%
Tennessee	22,128,000	21,002,405	(1,125,595)	-5.09%
Texas	62,020,936	65,045,270	3,024,334	4.88%
Utah	6,063,094	6,236,314	173,220	2.86%
Vermont	1,243,942	1,060,351	(183,591)	-14.76%
Virginia	18,481,552	16,429,934	(2,051,618)	-11.10%
Washington	22,272,901	22,715,887	442,986	1.99%
West Virginia	4,558,971	4,805,556	246,585	5.41%
Wisconsin	17,345,523	15,286,735	(2,058,788)	-11.87%
Wyoming	1,201,048	909,374	(291,674)	-24.28%
State Total	1,063,432,320	1,008,151,464	(55,280,856)	-5.20%
American Samoa	182,437	174,596	(7,841)	-4.30%
Guam	1,484,984	1,421,166	(63,818)	-4.30%
Northern Marianas	549,518	525,903	(23,615)	-4.30%
Palau	125,260	119,895	(5,365)	-4.28%
Virgin Islands	876,661	838,985	(37,676)	-4.30%
Outlying Areas Total	3,218,860	3,080,545	(138,315)	-4.30%
National Reserve	220,892,820	220,985,883	93,063	0.04%

U.S. Department of Labor
Employment and Training Administration
WIA Dislocated Worker Activities
PY 2012 Allotments

Attachment F

State	Total	7/1/2012	10/1/2012
Total	\$1,232,217,892	\$172,217,892	\$1,060,000,000
Alabama	15,469,879	2,273,354	13,196,525
Alaska	1,617,337	237,673	1,379,664
Arizona	21,499,925	3,159,491	18,340,434
Arkansas	7,022,211	1,031,939	5,990,272
California	167,279,720	24,582,353	142,697,367
Colorado	16,138,114	2,371,554	13,766,560
Connecticut	12,425,813	1,826,018	10,599,795
Delaware	2,364,143	347,419	2,016,724
District of Columbia	2,584,544	379,808	2,204,736
Florida	77,488,229	11,387,173	66,101,056
Georgia	36,619,541	5,381,373	31,238,168
Hawaii	2,544,104	373,865	2,170,239
Idaho	4,848,656	712,527	4,136,129
Illinois	45,174,858	6,638,607	38,536,251
Indiana	19,764,183	2,904,417	16,859,766
Iowa	5,396,211	792,993	4,603,218
Kansas	6,269,130	921,271	5,347,859
Kentucky	14,426,545	2,120,032	12,306,513
Louisiana	10,053,020	1,477,327	8,575,693
Maine	3,411,860	501,385	2,910,475
Maryland	13,446,336	1,975,987	11,470,349
Massachusetts	18,123,153	2,663,262	15,459,891
Michigan	37,950,243	5,576,924	32,373,319
Minnesota	12,016,430	1,765,857	10,250,573
Mississippi	10,347,245	1,520,565	8,826,680
Missouri	19,339,341	2,841,985	16,497,356
Montana	2,228,454	327,479	1,900,975
Nebraska	1,769,045	259,967	1,509,078
Nevada	14,404,698	2,116,822	12,287,876
New Hampshire	2,023,863	297,414	1,726,449
New Jersey	30,891,644	4,539,638	26,352,006
New Mexico	4,691,620	689,450	4,002,170
New York	53,040,830	7,794,540	45,246,290
North Carolina	33,775,540	4,963,436	28,812,104
North Dakota	491,586	72,240	419,346
Ohio	37,410,700	5,497,636	31,913,064
Oklahoma	5,818,181	855,003	4,963,178
Oregon	14,179,357	2,083,707	12,095,650
Pennsylvania	33,628,882	4,941,885	28,686,997
Puerto Rico	13,792,527	2,026,861	11,765,666
Rhode Island	4,729,397	695,002	4,034,395
South Carolina	17,247,928	2,534,645	14,713,283
South Dakota	914,615	134,406	780,209
Tennessee	21,002,405	3,086,379	17,916,026
Texas	65,045,270	9,558,635	55,486,635
Utah	6,236,314	916,449	5,319,865
Vermont	1,060,351	155,822	904,529
Virginia	16,429,934	2,414,438	14,015,496
Washington	22,715,887	3,338,181	19,377,706
West Virginia	4,805,556	706,194	4,099,362
Wisconsin	15,286,735	2,246,440	13,040,295
Wyoming	909,374	133,636	775,738
State Total	1,008,151,464	148,151,464	860,000,000
American Samoa	174,596	18,753	155,843
Guam	1,421,166	152,644	1,268,522
Northern Marianas	525,903	56,486	469,417
Palau	119,895	12,878	107,017
Virgin Islands	838,985	90,113	748,872
Outlying Areas Total	3,080,545	330,874	2,749,671
National Reserve Total	220,985,883	23,735,554	197,250,329

U. S. Department of Labor
Employment and Training Administration
Employment Service (Wagner-Peyser)
PY 2012 vs PY 2011 Final Allotments

Attachment G

State	Final PY 2011	Final PY 2012	Difference	% Difference
Total	\$702,168,848	\$700,841,900	(\$1,326,948)	-0.19%
Alabama	9,001,789	9,114,728	112,939	1.25%
Alaska	7,632,911	7,618,486	(14,425)	-0.19%
Arizona	13,258,184	13,416,510	158,326	1.19%
Arkansas	5,681,857	5,641,422	(40,435)	-0.71%
California	83,952,834	83,874,952	(77,882)	-0.09%
Colorado	10,866,249	11,123,996	257,747	2.37%
Connecticut	7,819,386	7,886,732	67,346	0.86%
Delaware	1,961,280	1,957,574	(3,706)	-0.19%
District of Columbia	2,418,616	2,361,773	(56,843)	-2.35%
Florida	41,764,675	41,597,929	(166,746)	-0.40%
Georgia	20,557,324	20,518,463	(38,861)	-0.19%
Hawaii	2,494,923	2,474,455	(20,468)	-0.82%
Idaho	6,359,573	6,347,555	(12,018)	-0.19%
Illinois	29,100,366	28,905,034	(195,332)	-0.67%
Indiana	13,763,379	13,614,524	(148,855)	-1.08%
Iowa	6,495,675	6,439,570	(56,105)	-0.86%
Kansas	5,968,265	5,924,673	(43,592)	-0.73%
Kentucky	9,075,114	9,063,496	(11,618)	-0.13%
Louisiana	8,843,833	8,712,855	(130,978)	-1.48%
Maine	3,781,977	3,774,830	(7,147)	-0.19%
Maryland	11,722,275	11,687,183	(35,092)	-0.30%
Massachusetts	14,234,162	14,148,935	(85,227)	-0.60%
Michigan	24,113,898	23,547,173	(566,725)	-2.35%
Minnesota	11,997,952	11,868,691	(129,261)	-1.08%
Mississippi	6,165,253	6,118,274	(46,979)	-0.76%
Missouri	12,903,606	12,837,723	(65,883)	-0.51%
Montana	5,197,075	5,187,254	(9,821)	-0.19%
Nebraska	6,245,863	6,234,060	(11,803)	-0.19%
Nevada	6,550,359	6,505,421	(44,938)	-0.69%
New Hampshire	2,833,820	2,803,840	(29,980)	-1.06%
New Jersey	18,929,760	19,163,297	233,537	1.23%
New Mexico	5,832,033	5,821,012	(11,021)	-0.19%
New York	40,044,986	39,748,915	(296,071)	-0.74%
North Carolina	19,923,339	19,836,199	(87,140)	-0.44%
North Dakota	5,292,177	5,282,176	(10,001)	-0.19%
Ohio	26,306,239	25,946,567	(359,672)	-1.37%
Oklahoma	6,853,237	6,779,019	(74,218)	-1.08%
Oregon	8,821,269	8,758,927	(62,342)	-0.71%
Pennsylvania	26,526,233	26,310,462	(215,771)	-0.81%
Puerto Rico	7,871,512	7,686,516	(184,996)	-2.35%
Rhode Island	2,639,094	2,618,648	(20,446)	-0.77%
South Carolina	9,864,977	9,785,215	(79,762)	-0.81%
South Dakota	4,891,189	4,881,946	(9,243)	-0.19%
Tennessee	13,083,238	13,308,517	225,279	1.72%
Texas	48,565,592	49,945,739	1,380,147	2.84%
Utah	7,284,273	7,113,078	(171,195)	-2.35%
Vermont	2,291,311	2,286,981	(4,330)	-0.19%
Virginia	15,912,960	15,905,779	(7,181)	-0.05%
Washington	14,651,411	14,673,520	22,109	0.15%
West Virginia	5,598,448	5,587,868	(10,580)	-0.19%
Wisconsin	12,716,632	12,597,349	(119,283)	-0.94%
Wyoming	3,794,821	3,787,650	(7,171)	-0.19%
State Total	700,457,204	699,133,491	(1,323,713)	-0.19%
Guam	328,561	327,940	(621)	-0.19%
Virgin Islands	1,383,083	1,380,469	(2,614)	-0.19%
Outlying Areas Total	1,711,644	1,708,409	(3,235)	-0.19%

U. S. Department of Labor
Employment and Training Administration
Workforce Information Grants to States
PY 2012 vs PY 2011 Allotments

Attachment H

State	PY 2011	PY 2012	Difference	% Difference
Total	\$31,936,000	\$31,939,520	\$3,520	0.01%
Alabama	500,647	508,082	7,435	1.49%
Alaska	288,982	289,182	200	0.07%
Arizona	632,935	634,754	1,819	0.29%
Arkansas	411,497	411,636	139	0.03%
California	2,483,795	2,471,363	(12,432)	-0.50%
Colorado	570,990	574,272	3,282	0.57%
Connecticut	476,946	476,928	(18)	0.00%
Delaware	296,667	296,619	(48)	-0.02%
District of Columbia	285,384	285,345	(39)	-0.01%
Florida	1,379,470	1,382,267	2,797	0.20%
Georgia	821,518	822,490	972	0.12%
Hawaii	322,344	322,178	(166)	-0.05%
Idaho	337,184	338,014	830	0.25%
Illinois	1,060,267	1,059,262	(1,005)	-0.09%
Indiana	628,290	628,745	455	0.07%
Iowa	450,618	450,398	(220)	-0.05%
Kansas	429,451	429,282	(169)	-0.04%
Kentucky	499,293	503,058	3,765	0.75%
Louisiana	500,874	498,490	(2,384)	-0.48%
Maine	330,405	330,165	(240)	-0.07%
Maryland	607,963	611,479	3,516	0.58%
Massachusetts	671,621	674,268	2,647	0.39%
Michigan	840,199	826,454	(13,745)	-1.64%
Minnesota	609,146	610,066	920	0.15%
Mississippi	403,784	409,097	5,313	1.32%
Missouri	612,168	616,486	4,318	0.71%
Montana	305,461	305,900	439	0.14%
Nebraska	364,956	365,623	667	0.18%
Nevada	412,224	406,858	(5,366)	-1.30%
New Hampshire	335,675	335,775	100	0.03%
New Jersey	801,753	797,757	(3,996)	-0.50%
New Mexico	362,260	360,655	(1,605)	-0.44%
New York	1,431,886	1,421,421	(10,465)	-0.73%
North Carolina	800,773	796,599	(4,174)	-0.52%
North Dakota	289,407	290,251	844	0.29%
Ohio	973,816	968,454	(5,362)	-0.55%
Oklahoma	461,908	458,559	(3,349)	-0.73%
Oregon	484,674	489,737	5,063	1.04%
Pennsylvania	1,032,323	1,024,530	(7,793)	-0.75%
Puerto Rico	404,628	401,448	(3,180)	-0.79%
Rhode Island	314,871	314,447	(424)	-0.13%
South Carolina	510,108	510,204	96	0.02%
South Dakota	298,888	299,393	505	0.17%
Tennessee	615,549	626,347	10,798	1.75%
Texas	1,734,172	1,751,537	17,365	1.00%
Utah	410,093	410,985	892	0.22%
Vermont	288,413	288,917	504	0.17%
Virginia	756,466	761,294	4,828	0.64%
Washington	677,933	674,609	(3,324)	-0.49%
West Virginia	340,653	340,288	(365)	-0.11%
Wisconsin	617,807	620,620	2,813	0.46%
Wyoming	280,219	280,277	58	0.02%
State Total	31,759,354	31,762,865	3,511	0.01%
Guam	92,813	92,818	5	0.01%
Virgin Islands	83,833	83,837	4	0.00%
Outlying Areas Total	176,646	176,655	9	0.01%

WORKFORCE INVESTMENT ACT (WIA) PROGRAM
ANNUAL FUNDING AGREEMENT
(Including Mod 0, initial Notice of Obligation)
PY 2012

Grant/Agreement No. AA -
(To be completed by DOL)

CFDA #17.258 WIA Adult Program
CFDA #17.259 WIA Youth Activities
CFDA #17.278 WIA Dislocated Workers

1. Parties: Pursuant to the Governor/Secretary Agreement provided for at 20 CFR 667.110 and 20 CFR 667.105, this grant agreement is entered into between the U.S. Department of Labor, Employment and Training Administration (Grantor) and the STATE/Commonwealth of _____ (Grantee).
2. Grant Funds: This grant agreement applies to funds appropriated for Program Year (PY) 2012 for WIA Title I State formula-funded Youth, Adult and Dislocated Worker programs. Thus, it includes the Fiscal Year 2013 Advance funds to be appropriated for PY 2012.
3. Applicable Authority: Funds provided under this grant agreement must be expended in accordance with all applicable federal statutes, regulations and policies, including those of the Workforce Investment Act (as presently in effect and as may become effective during the terms of this Agreement); the applicable approved State WIA plan including approved modifications and amendments to the plan, and any waiver plan approved under 20 CFR 661.420 or Workforce Flexibility (Workflex) plan approved under 20 CFR 661.430; the negotiated performance levels and policies established pursuant to the Secretary's authority under WIA Section 136; and the applicable provisions in the appropriations act(s).
4. Grant Period: This period of availability of funds is effective April 1, 2012 for Youth funds (July 1, 2012 for Adult and Dislocated Worker funds) through June 30, 2015.
5. Notice of Obligation: Funds shall be obligated and allocated via a Notice of Obligation (NOO) grant modification. Obligations and costs may not exceed the amount obligated by the NOO modification unless otherwise modified by the Grantor. Upon execution of this agreement, the "Modification 0" supplement to the agreement will serve as the initial PY 2012, Notice of Obligation. Funds are obligated for the amount indicated in the "Modification 0" document in accordance with the Grantee's PY 2012 allotment

levels. The Federal obligation level will be amended by the Grant Officer to increase (or adjust) amounts available to the Grantee as funds become available for obligation and additional Notice of Obligation (or Deobligation) grant modifications are required and issued.

6. Electronic Fund Transfers: Cash payments shall be made to the Grantee under the Department of Health and Human Services (HHS) Payment Management System (PMS).
7. Certifications and Assurances: The following are incorporated by reference and are a part of this agreement:
 - CERTIFICATION REGARDING LOBBYING
(29 CFR Part 93)
 - DRUG-FREE WORKPLACE REQUIREMENTS CERTIFICATION
(29 CFR Part 98)
 - NONDISCRIMINATION AND EQUAL OPPORTUNITY ASSURANCE
(29 CFR Part 37)
 - CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS-- PRIMARY COVERED TRANSACTIONS
(29 CFR Part 98)
 - STANDARD FORM 424B (STANDARD ASSURANCES (NON CONSTRUCTION PROGRAMS))
8. Veterans' Priority Provisions: This program, funded by the U.S. Department of Labor is subject to the provisions of the "Jobs for Veterans Act" (JVA), Public Law 107-288 (38 USC 4215), as implemented by the Final Rule published on December 19, 2008 at 73 Fed. Reg. 78132. The JVA provides priority of service to veterans and spouses of eligible veterans for the receipt of employment, training, and placement services. Agreement by a program operator to implement priority of service is a condition of receipt of DOL funds. The Planning Guidance (either the Stand-Alone Planning Guidance at 73 FR 72853 (December 1, 2008)) or the Unified Planning Guidance at 73 FR 73730 (December 3, 2008) and TEGL 10-09 requires states to describe the policies and strategies in place to ensure, pursuant to the Jobs for Veterans Act and the regulations, that priority of service is provided to veterans (and eligible spouses) who otherwise meet the eligibility requirements for qualified employment and training programs funded in whole or in part by the U.S. Department of Labor. In addition, the states are required to provide assurances that they will comply with the Veterans' Priority of Service Provisions established by the Jobs for Veterans Act (38 USC 4215) and TEGL 10-09.

9. Buy American Notice Requirement: It is the sense of Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under the Workforce Investment Act should be American made. See WIA Section 505—Buy American Requirements.
10. Salary and Bonus Limitations: In compliance with Pub. L. 111-117 (Division D, sec. 107), none of the funds appropriated in the Act under the heading 'Employment and Training' shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment & Training Administration programs. See Training and Employment Guidance Letter number 5-06 for further clarification.
11. Intellectual Property Rights: The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the grantee, subgrantee or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or licensing fee associated with such copyrighted material, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping. If revenues are generated through selling products developed with grant funds, including intellectual property, these revenues are program income. Program income is added to the grant and must be expended for allowable grant activities.

If applicable, the following needs to be on all products developed in whole or in part with grant funds:

This workforce solution was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The solution was created by the grantee and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This

- FOR GRANTEE:

See SF-424 Signature and Clause 14 above

BY _____
(Governor/ Authorized Signatory) Signature Date

FOR GRANTOR: U.S. Department of Labor/Employment and Training Administration
200 Constitution Ave NW; Room N-4716; Washington, DC 20210

THOMAS C. MARTIN
Grant Officer

Signature

Date

Attachment to Workforce Investment Act (WIA) Program Annual Funding Agreement

WIA Agreement Clause No.13 ("Transparency Act") Attachment

This Grant is subject to the following Transparency Act requirements:

2 CFR Part 170**Appendix A to Part 170--Award Term****I. Reporting Subawards and Executive Compensation.*****a. Reporting of first-tier subawards.***

1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).
2. Where and when to report.
 - i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
 - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. What to report. You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if--
 - i. the total Federal funding authorized to date under this award is \$25,000 or more;
 - ii. in the preceding fiscal year, you received--
 - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:
 - i. As part of your registration profile at <http://www.ccr.gov>.
 - ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if--
 - i. in the subrecipient's preceding fiscal year, the subrecipient received--
 - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:
 - i. To the recipient.
 - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. Subawards, and
- ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR part 25:

- i. A Governmental organization, which is a State, local government, or Indian tribe;
- ii. A foreign public entity;
- iii. A domestic or foreign nonprofit organization;
- iv. A domestic or foreign for-profit organization;
- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. Executive means officers, managing partners, or any other employees in management positions.

3. Subaward:

- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --- .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
- iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that:

- i. Receives a subaward from you (the recipient) under this award; and
- ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

- i. Salary and bonus.
- ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
- v. Above-market earnings on deferred compensation which is not tax-qualified.
- vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

2 CFR Subtitle A, Chapter I and Part 25**Appendix A to Part 25--Award Term****I. Central Contractor Registration and Universal Identifier Requirements****A. Requirement for Central Contractor Registration (CCR)**

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for Data Universal Numbering System (DUNS) Numbers

If you are authorized to make subawards under this award, you:

- 1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
- 2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

C. Definitions

For purposes of this award term:

1. Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at <http://www.ccr.gov>).

2. Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).

3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:

- a. A Governmental organization, which is a State, local government, or Indian Tribe;
- b. A foreign public entity;
- c. A domestic or foreign nonprofit organization;
- d. A domestic or foreign for-profit organization; and
- e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. Subaward:

- a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ----.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
- c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. Subrecipient means an entity that:

- a. Receives a subaward from you under this award; and
- b. Is accountable to you for the use of the Federal funds provided by the subaward.

WAGNER-PEYSER ACT (W-PA)
ANNUAL FUNDING AGREEMENT
(Including Mod 0, initial Notice of Obligation)
PY 2012/FY 2013

Grant Number:
(To be completed by DOL)

CFDA #17.207 Employment Service/Wagner-Peyser
CFDA #17.271 Work Opportunity Tax Credit Program
CFDA #17.273 Foreign Labor Certification Program

1. Parties. Consistent with the Governor/Secretary Agreement provided for at 20 CFR 652.4(b) and 20 CFR 667.110; this grant agreement is entered into between the U.S. Department of Labor (Grantor) and the **STATE/COMMONWEALTH OF** (Grantee).

2. Grant Funds. This grant agreement applies to funds appropriated for **Program Year (PY) 2012 and Fiscal Year (FY) 2013** for the purposes of carrying out activities authorized under Sections 7(a) through 7(e) of the Wagner-Peyser Act (W-PA), as amended.

3. Applicable Authority. Funds under this grant agreement must be expended in accordance with all applicable federal statutes, regulations and policies, including those of the Wagner-Peyser Act, as amended; the applicable and approved State plan(s) and any amendments; any negotiated performance levels; specifically approved statutory and regulatory waivers applicable to these funds; and the applicable provisions in the appropriation acts for these funds. The applicable State plans referenced above include the WIA/W-PA five-year Strategic State Plan and any modifications thereto (*and for CO, MA, and MI only: including any demonstration of alternative service delivery methods approved as part of the applicable State Plan*) and any other annual plans required for the receipt of funds under this agreement (e.g. cost reimbursable grants).

4. Grant Expenditure Period. This Annual Funding Agreement is effective July 1, 2012 and expires September 30, 2015 to allow for funds allocated under this agreement to be fully expended in accordance with the statutory/regulatory life of the different fund sources (subject to availability of Federal funds) including, but

not limited to: **Wagner-Peyser Employment Service, Workforce Information Grants, Foreign Labor Certification Program, and the Work Opportunity Tax Credit Program.** However, any non-formula or discretionary awards are subject to the terms and conditions of the specific awards and plan approvals which may include reduced expenditure periods. Commencement of expenditures is subject to the issuance of federal obligation authority for each grant account funded under this agreement, unless preaward costs are approved via a continuing resolution or otherwise.

5. Notice of Obligation. Funds shall be obligated to the Grantee via a Notice of Obligation (NOO). Obligations and costs may not exceed the amount obligated by the NOO unless otherwise modified by the Grantor. This agreement includes the initial PY 2012 NOO for the program which is provided as a "Modification 0" NOO Attachment to this agreement. Funds are obligated for the amount indicated in the NOO in accordance with the Grantee's approved funding allocations. Subsequent PY 2012 and FY 2013 allocations will be provided via grant modification/NOOs.

6. Electronic Fund Transfers. Payments shall be made to the Grantee under the Department of Health and Human Services (HHS) Payment Management System (PMS).

7. Standard Certifications and Assurances. The following certifications and assurances are incorporated by reference and made a part of this agreement, include the following:

CERTIFICATION REGARDING LOBBYING
(29 CFR Part 93)

DRUG FREE WORKPLACE REQUIREMENTS CERTIFICATION
(29 CFR Part 98)

NONDISCRIMINATION AND EQUAL OPPORTUNITY ASSURANCE
(29 CFR Part 37)

STANDARD FORM 424b - STANDARD ASSURANCES (NON-CONSTRUCTION PROGRAMS)

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS PRIMARY COVERED TRANSACTIONS
(29 CFR PART 98)

8. **Other Administrative Requirements.** In performing its responsibilities under this agreement, the grantee further certifies and assures that it will fully comply with:

29 CFR Part 97 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) and the 29 CFR Part 97 clarifications and exceptions specified below:

29 CFR 97.25 - Program Income. Grantees shall use the Addition method for computing Program Income. The grantee may deduct those costs incident to generation of program income from gross income to determine net program income provided that such costs were not charged to grant funds under this agreement.

29 CFR 97.31 - Property. Real property includes both real property acquired under this agreement and real property transferred to this agreement from prior agreements.

29 CFR 97.32 - Equipment and 29 CFR 97.33 - Supplies. Equipment and Supplies includes both equipment and supplies acquired under this agreement and equipment and supplies transferred to this agreement from prior agreements.

Financial Reporting

29 CFR 97.41 (a) and (b) - These are the general parameters for financial reporting.

29 CFR 97.41 (b) - The Employment and Training Administration (ETA) has implemented a new Office of Management and Budget (OMB)-approved quarterly financial reporting form to be used for financial reporting starting with the quarter which ended September 30, 2007. The reporting instructions for the newly approved form are posted on the www.doleta.gov/grants website. State grantees are required to use the ETA Web-based reporting system for the filing of quarterly financial status reports. A separate report must be completed each quarter for each funding source (See Fund Type) provided under this agreement until such time as such funds for a given year have been expended or expired (i.e., expired due to statutory provision or expired due to terms of a specific grant/plan, as applicable). The software provided to grantees by the grantor agency will contain a menu listing all funding source reporting options to assist the grantees in full reporting coverage.

29 CFR 97.41 (b) (2) - This requires grantees to report program outlays (expenditures) on an accrual basis.

29 CFR 97.41 (c) (1) - The grantee is exempted from the requirement to submit the SF-272, Federal Cash Transactions Report, and the SF-272a, Federal Cash Transactions Report, continuation sheet, provided that the grantee files the SF-272 (e) electronic report in accordance with the HHS Payment Management System requirements.

OMB Circular A-87 Revised (Cost Principles for State and Local Governments) and the provisions and exceptions specified below:

- For those selected items of cost requiring prior approval, the authority to grant or deny approval is delegated to the State for programs funded under this Agreement except that the Secretary reserves the right to require transfer of title on nonexpendable Automated Data Processing Equipment in accordance with the provisions at 29 CFR 97.32 (g). Pursuant to 20 CFR 652.8(d)(2), the Secretary reserves the right to exercise prior approval authority in other areas, after providing advance notice to the State. Accordingly, capital expenditures for real property are allowable as a direct cost only if approved by the Secretary (Grantor).

- For personnel benefit costs charged to Wagner-Peyser Act funds on behalf of Employment Service (ES) employees who are members of fringe benefit plans which do not meet the requirements of OMB Circular A-87, Attachment B, Item 11, the costs of employer contributions or expenses incurred for ES fringe benefit plans are allowable as an addition to OMB Circular A-87, provided that:

- (i) For retirement plans: (A) all covered employees joined the plan before October 1, 1983; (B) the plan is authorized by State law; (C) the plan was previously approved by the Secretary; (D) the plan is insured by a private carrier which is licensed to operate this type of plan in the applicable State; and (E) any dividends or similar credits because of participation in the plan are credited against the next premium falling due under the contract;

- (ii) For all ES fringe benefit plans other than retirement plans, if the Secretary granted a time extension after October 1, 1983, to the existing approval of such a plan, costs of the plan are allowable until such time as the plan is comparable in cost and benefits to fringe benefit plans available to other similarly employed ES employees. At such time as the cost and benefits of an approved fringe benefit plan are equivalent to the cost and benefits of plans available to other similarly employed ES employees, the time extension will cease and the cited requirements of OMB Circular A-87 will apply; and

- (iii) For retirement plans and all other fringe benefit plans covered in (i) and (ii) of this paragraph, any additional costs resulting from improvements of the plans made after October 1, 1983, are not chargeable to funds under this agreement.

29 CFR PART 96 and 99 (Audit Requirements). These requirements apply as supplemented by the Wagner-Peyser Act regulations at 20 CFR 652.8(f).

Intergovernmental Personnel Act (42 U.S.C. 4701) and amendments thereto.

9. Veterans' Priority Provisions: This program, funded by the U.S. Department of Labor is subject to the provisions of the "Jobs for Veterans Act" (JVA), Public Law 107-288 (38 USC 4215), as implemented by the Final Rule published on December 19, 2008 at 73 Fed. Reg. 78132. The JVA provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services. The Planning Guidance (either the Stand-Alone Planning Guidance at 73 FR 72853 (December 1, 2008)) or the Unified Planning Guidance at 73 FR 73730 (December 3, 2008) requires states to describe the policies and strategies in place to ensure, pursuant to the Jobs for Veterans Act and the regulations, that priority of service is provided to veterans (and certain spouses) who otherwise meet the eligibility requirements for all employment and training programs funded by the U.S. Department of Labor. In addition, the states are required to provide assurances that they will comply with the Veterans' Priority Provisions established by the Jobs for Veterans Act (38 USC 4215).

10. Salary and Bonus Limitations. In compliance with Department of Labor Appropriations Act, 2010, Division D of Pub. L. 111-117, sec. 107, none of the funds appropriated in the Act under the heading 'Employment and Training' shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment & Training Administration programs. See Training and Employment Guidance Letter number 5-06 for further clarification.

11. Intellectual Property Rights: The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the grantee, subgrantee or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means,

electronically or otherwise. Federal funds may not be used to pay any royalty or licensing fee associated with such copyrighted material, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping. If revenues are generated through selling products developed with grant funds, including intellectual property, these revenues are program income. Program income is added to the grant and must be expended for allowable grant activities.

If applicable, the following needs to be on all products developed in whole or in part with grant funds:

This workforce solution was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The solution was created by the grantee and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This solution is copyrighted by the institution that created it. Internal use, by an organization and/or personal use by an individual for non-commercial purposes, is permissible. All other uses require the prior authorization of the copyright owner."

12. W-PA PY 2012/FY 2013 Agreement Transparency Act: Federal Funding Accountability and Transparency Act of 2006 Pub. L. 109-282 as amended by section 6202 of Pub. L. 110-252 ("FFATA"). Grantees must ensure that they have the necessary processes and systems in place to comply with the reporting requirements of FFATA. See Training and Employment Guidance Letter (TEGL) No. 11-10 (issued November 15, 2010) <http://wdr.doleta.gov/directives/attach/TEGL/TEGL11-10acc.pdf> (and upcoming Change 1), and Attachment A to this agreement.

13. ACORN Prohibition: Section 511 of the Consolidated Appropriations Act, 2010 (P.L. 111-117, Division E) ("CAA"), requires that no direct or indirect funding from the Consolidated Appropriations Act may be provided to the Association of Community Organizations for Reform Now ("ACORN") or any of its subsidiaries through Federal grantees or contractors. DOL is required to take steps so that no Federal funds from the Consolidated Appropriations Act, 2010, are awarded or obligated by DOL grantees or contractors to ACORN or its subsidiaries as subgrantees, subcontractors, or other subrecipients. This prohibition applies not only to a direct recipient of Federal funds, but also to a subrecipient (e.g., a subcontractor, subgrantee, or contractor of a grantee).

14. Signatory Information: By signing below, the signatories agree to the terms and conditions of this agreement, including all applicable assurances and certifications, on behalf of their respective agencies indicated below. In the absence of a signature by the Grantee only, this award is nevertheless effective by virtue of Grantee's electronic signature on the SF-424 upon which this award is based. In addition, the Grantee's expenditure of any funds properly granted hereunder constitutes acceptance of the award, including any new or additional terms and conditions as may be attached hereto.

FOR GRANTEE:

See SF-424 Signature and Clause 14 above

BY _____
 (Governor/ Authorized Signatory) Signature Date

FOR GRANTOR: U.S. Department of Labor/Employment and Training Administration
 200 Constitution Ave NW; Room N-4716; Washington, DC 20210

 THOMAS C. MARTIN Signature Date
 Grant Officer

Attachment to Wagner-Peyser Act (W-PA) Annual Funding Agreement

W-PA Agreement Clause No.12 ("Transparency Act") Attachment

This Grant is subject to the following Transparency Act requirements:

2 CFR Part 170**Appendix A to Part 170--Award Term****I. Reporting Subawards and Executive Compensation.****a. Reporting of first-tier subawards.**

1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).
2. Where and when to report.
 - i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
 - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. What to report. You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if--
 - i. the total Federal funding authorized to date under this award is \$25,000 or more;
 - ii. in the preceding fiscal year, you received--
 - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards) and
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:
 - i. As part of your registration profile at <http://www.ccr.gov>.
 - ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if--
 - i. in the subrecipient's preceding fiscal year, the subrecipient received--
 - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:
 - i. To the recipient.
 - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. Subawards, and
- ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR part 25:

- i. A Governmental organization, which is a State, local government, or Indian tribe;
- ii. A foreign public entity;
- iii. A domestic or foreign nonprofit organization;
- iv. A domestic or foreign for-profit organization;
- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. Executive means officers, managing partners, or any other employees in management positions.

3. Subaward:

- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ---- .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
- iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that:

- i. Receives a subaward from you (the recipient) under this award; and
- ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

- i. Salary and bonus.
- ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
- v. Above-market earnings on deferred compensation which is not tax-qualified.
- vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

2 CFR Subtitle A, Chapter I and Part 25**Appendix A to Part 25--Award Term****I. Central Contractor Registration and Universal Identifier Requirements****A. Requirement for Central Contractor Registration (CCR)**

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for Data Universal Numbering System (DUNS) Numbers

If you are authorized to make subawards under this award, you:

- 1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
- 2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

C. Definitions

For purposes of this award term:

1. Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at <http://www.ccr.gov>).
2. Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
 - a. A Governmental organization, which is a State, local government, or Indian Tribe;
 - b. A foreign public entity;
 - c. A domestic or foreign nonprofit organization;
 - d. A domestic or foreign for-profit organization; and
 - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. Subaward:
 - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ---.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
 - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
5. Subrecipient means an entity that:
 - a. Receives a subaward from you under this award; and
 - b. Is accountable to you for the use of the Federal funds provided by the subaward.